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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

RICHARD D. BIHNER,

Defendant and Appellant.

G034220

(Super. Ct. No. 04WF0461)

O P I N I O N

Appeal from a judgment of the Superior Court of Orange County, Thomas J. Borris, Judge. Affirmed.

Patricia A. Andreoni, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

* * *

We appointed counsel to represent Richard D. Bihner on appeal. Counsel filed a brief that set forth the facts of the case. Counsel did not argue against Bihner but advised the court no issues were found to argue on his behalf. We have examined the record and found no arguable issue. (*People v. Wende* (1979) 25 Cal.3d 436.) Bihner was given 30 days to file written argument in his own behalf. On January 26, 2005, we received an eight-paged document, which we accepted and filed as Bihner's own written argument.

After a full review of the record and all briefs, we affirm the judgment.

SILLS, P. J.

WE CONCUR:

RYLAARSDAM, J.

BEDSWORTH, J.